



WASHOE COUNTY

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SJDC REPORT

BOARD MEETING DATE: *May 9, 2017*

CM/ACM	_____
Finance	<u>MM/CH</u>
DA	<u>KM</u>
Risk Mgt	<u>D.E.</u>
HR	<u>N/A</u>
Other	<u>G.E.</u>

DATE: March, 20, 2017

TO: Board of County Commissioners

FROM: James Popovich, Specialty Courts Manager, Second Judicial District Court
(775) 325-6769, james.popovich@washoecourts.us

THROUGH: Jackie Bryant, District Court Administrator and Clerk of Court

SUBJECT: Recommendation to retroactively acknowledge the grant award from the Office of Traffic Safety to the Second Judicial District Court, in the amount of \$20,000 (\$20,000 in-kind match required), for one year beginning October 1, 2016 to September 30, 2017 and direct the Comptroller's Office to make the necessary budget amendments. (All Commission Districts)

SUMMARY

The Court has received funding from the Office of Traffic Safety since 2008. The current Project Agreement is for \$20,000, to maintain the minimum funding necessary to support the Coordinator position for the Felony DUI Court.

The reason for requesting acknowledgement of this grant award, retroactively, is due to the Court waiting to receive notice of the award.

County Priority supported by this item: Safe, secure and healthy communities.

PREVIOUS ACTION

The Board of County Commissioners has approved the acceptance of three previous grants of \$100,000 each and two previous grants of \$35,000 each from the Office of Traffic Safety for this purpose.

BACKGROUND

The Felony DUI Court complies with statutory provisions and minimum program requirements for each defendant as follows:

- an evaluation to determine the nature and extent of the substance use disorder and the formulation of a treatment plan by a certified or licensed substance abuse counselor;
- a minimum of six months of house arrest upon enrollment;

- participation in a substance abuse counseling program throughout the duration of the three year program;
- a minimum of weekly self-help meetings;
- installation of a breath ignition interlock device on any vehicle which a defendant owns or operates;
- regular status checks with Court staff;
- regular court appearances;
- minimum of three years of participation in the program.

Senate Bill 277 authorizes the Court to order a third-time offender of driving under the influence (DUI) to a treatment program for a minimum of three years based on a report from a counselor or physician who diagnoses a drug or alcohol problem. If the Court orders the offender to a treatment program, it must suspend further proceedings and place the offender on probation upon condition that the treatment program is complete.

If the program is successfully completed, the conviction is reduced to a second-offense violation, a misdemeanor. However, for purposes of additional penalties imposed for subsequent DUI offenses, the offense will count as a third offense. If the program is not successfully completed or the offender is not accepted for treatment, the sentence must be served. However, the Court has the discretion to reduce the sentence of imprisonment for the time served.

Defendants are responsible for all program costs including treatment, house arrest fees, the Breath Ignition Interlock Device and program fees. The statute specifically states that eligible offenders "must agree to pay the costs of the treatment to the extent of his financial resources."

The reason for requesting acknowledgement of this grant award, retroactively, is due to the Court waiting to receive notice of the award.

GRANT AWARD SUMMARY

Project/Program Name: Second Judicial District Court's Felony DUI Court/ Office of Traffic Safety.

Scope of the Project:

- an evaluation to determine the nature and extent of the substance use disorder and the formulation of a treatment plan by a certified or licensed substance abuse counselor;
- a minimum of six months of house arrest upon enrollment;
- participation in a substance abuse counseling program throughout the duration of the three year program;
- a minimum of weekly self-help meetings;
- installation of a breath ignition interlock device on any vehicle which a defendant owns or operates;
- regular status checks with Court staff;
- regular court appearances;

- minimum of three years of participation in the program.

Benefit to Washoe County Residents: The benefit of utilizing the Office of Traffic Safety grant for the Felony DUI court is to assist the substance abusing defendants in becoming productive members of society, through abstaining from any further alcohol or illicit drug use and preventing recidivism.

On-Going Program Support: These funds are made available through the Office of Traffic Safety and will support the Second Judicial District Court's expenses in covering a portion of the salary of one of the Specialty Court Officers assigned to Felony DUI Court.

Award Amount: \$20,000

Grant Period: October 1, 2016 through September 30, 2017.

Funding Source: Department of Public Safety, Office of Traffic Safety

Pass Through Entity: N/A

CFDA Number: 20.616 (d)

Grant ID Number: N/A

Match Amount and Type: \$20,000 In-kind

Sub-Awards and Contracts: N/A

FISCAL IMPACT

Should the board acknowledge this grant award, the adopted budget will be amended in the following accounts:

Internal Order	G/L Account	Amount
11121	431100	\$20,000
11121	701110	\$20,000

RECOMMENDATION

It is recommended that the Board of County Commissioners retroactively acknowledge the grant award from the Office of Traffic Safety to the Second Judicial District Court, in the amount of \$20,000 (\$20,000 in-kind match required), for one year beginning October 1, 2016 to September 30, 2017 and direct the Comptroller's Office to make the necessary budget amendments.

POSSIBLE MOTION

Move that the Board of County Commissioners retroactively acknowledge the grant award from the from the Office of Traffic Safety to the Second Judicial District Court, in the amount of \$20,000 (\$20,000 in-kind match required), for one year beginning October 1, 2016 to September 30, 2017 and direct the Comptroller's Office to make the necessary budget amendments.



OFFICE OF TRAFFIC SAFETY
 107 Jacobsen Way
 Carson City, NV 89701
 (775) 684-7470

AUTHORIZATION TO PROCEED

CFDA# 20.616(d)

Effective Date: 10/25/16

Grantee Agency: Washoe County Second Judicial District Court
 is authorized to proceed with the project below and to request reimbursement for expenses up to
 the authorized amount.

Signature: *Amy Davery*
 Administrator/Highway Safety Coordinator, NV DPS-OTS

Date: 4/19/2017

Doc ID # TS-2017-WC 2nd Jud Ct-00051		ATP # 01
Grant Period: From: Effective Date of Authorization To: September 30, 2017		
TOTAL AMOUNT OF AWARD	\$20,000.00	
AMOUNT OF THIS AUTHORIZATION	20.616(d) (405 AL)	\$20,000.00
FUNDS PREVIOUSLY AUTHORIZED	20.616(d) (405 AL)	\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
		\$0.00
TOTAL FUNDS AUTHORIZED TO DATE	20.616(d) (405 AL)	\$20,000.00
FUNDS REMAINING	\$0.00	